

VDOT Blueprint Implementation DHRM Policy Exceptions and Flexibilities

Most Executive Branch agencies began implementing staffing reductions last Fall/Winter. None were as extensive as the changes planned in VDOT's Blueprint for our Future. Treatment of state employees affected by reorganization and reductions in force are governed by the Department of Human Resource Management's (DHRM's) Layoff Policy, No. 1.30, and Severance Benefits Policy, No. 1.57.

Following is a list of exceptions and policy flexibilities that were approved by DHRM for VDOT's use. They are ordered to correspond with the sequence of events laid out in the Layoff Policy.

Layoff Stages: Layoff can be accomplished in stages, but stages are not to overlap.

Work Unit Definition: Smallest recognizable sub-set within an organizational unit where...

1. Employees/positions perform same or very similar work
2. Similar occupation
3. Similar qualifications

Relocation Distance and Geographic Area Definition: Current commute or 50 miles from home to assigned work location, whichever is greater.

Distance Calculation: Distance will be calculated using a reliable mileage calculator such as *mapquest.com*.

Seniority: Calculation based on total continuous salaried state service, starting from the last employment or re-employment date into a classified position.

Seniority Tie Breakers:

1. Total state service--All periods of salaried state service in all branches of Virginia state government
2. Last 4 digits of employee ID #
3. Last 5 digits of employee ID #
4. ...and so on until the tie is broken

Wage Employees: Seasonal wage employees assisting in emergency operations do not perform substantially the same work as salaried Transportation Operators, as they only perform a portion of that work.

Initial Notice: VDOT customized the layoff initial notice form. By doing so, the Executive Branch Interagency Placement Screening Form (Yellow Form) can be provided to employees at the time of initial layoff notice, not later after the placement process is concluded.

VDOT Blueprint Implementation
DHRM Policy Exceptions and Flexibilities

Certification of Yellow Form: VDOT will provide Yellow Forms to employees with the Personal Information Section complete and certified. Employees will be responsible for completing the remainder of the form when they submit the form with an application for a competitively recruited position.

Applicability of Yellow Form: Yellow forms are applicable in the issuing agency, as well as other Executive Branch state agencies.

Pre-layoff Leave:

1. Affected employees will be permitted up to 80 hours during the notice period
2. Used to seek employment, in a block or intermittently—at supervisor’s discretion.
3. Must be scheduled and approved in advance by supervisor—usual process.
4. Pre-layoff Leave is *not available* to:
 - a. Employees who have not been notified that their positions will be eliminated
 - b. Substitutes
 - c. Affected employees who do not want the agency to find a placement
 - d. Affected employees who accept a placement
 - e. Affected employees who decline a placement that does not require relocation or reduction in salary
 - f. Affected employees who resign
 - g. Affected employees who are terminated under the Standards of Conduct.

Critical vacancies that become available during the layoff notice period will be offered as:

1. Recall opportunity first, if any employees on the recall list are eligible.
2. Then a placement opportunity.
3. Position would be recruited for competitive selection only if it is not a valid recall or placement opportunity
4. Competitive recruitment would be Agency-Only first, then General Public if the internal pool of applicants is not competitive or representative.

Automated Workflow Tool (“Transition Tool”): VDOT developed the Transition Tool to manage administrative tasks associated with layoff. The Transition Tool includes a feature that employees can use to document Placement Interest and qualifications (i.e., upload application and resume).

Placement Obligations: Affected employees may forego placement and proceed directly to layoff, and still receive Severance Benefits.

Placement Preferences:

1. VDOT will invite affected employees to express interest in placement before the placement process begins.
2. Affected employees who do not submit preferences will be treated as if they requested internal placement (i.e., placement within VDOT).

VDOT Blueprint Implementation
DHRM Policy Exceptions and Flexibilities

Substitution Interest: VDOT developed a form/process for documenting an unaffected employees' interest in substituting for someone who is affected.

Withdrawal Period: VDOT will give affected employees and substitution candidates a period of time after the submission deadlines to withdraw/change their elections.

Substitution Interest:

1. Employees will be invited to apply as a substitute after all employees in a stage have been given initial notice.
2. There will be an announced withdrawal period following the application deadline.
3. Substitution candidates may only withdraw their applications ...
 - a. During announced application periods;
 - b. During announced withdrawal periods;
 - c. During the periods between the official end date/last layoff effective date of one stage and the beginning of another.

Substitution Criteria: Same as placement process (same pay band or lower, minimally qualified).

Placement Process: Placements are considered for all affected employees, in order of seniority. Once placement offers are extended and decisions made by employees, a second round of the placement process will begin for those 1) who declined because it required relocation or reduction in salary, or 2) for whom a placement could not be found initially.

Placement Order: Placements to vacant positions that are closest to an affected employee's current job will be explored before placement to positions held by substitutes. The placement search will be broadened incrementally, each time looking to vacant positions before positions filled by substitutes, until a placement can be found or until it is determined that no placement opportunity exists for that affected employee.

Minimum Qualification: Applications and resumes of affected staff will be compared to EWP's of valid vacancies and substitution candidates' jobs to determine whether an affected employee is minimally qualified to perform a particular job.

Reduction in Status: Affected employees will not be offered the option to reduce to part-time in lieu of layoff.

Criminal History Background Checks: Will not be required of employees seeking placement unless it is required of another agency to perform a particular job. Examples: Northern Virginia VDOT positions located in the MPSTOC, inmate crew leaders, and ferry crew.

Compensation:

1. Salaries of affected employees, who are demoted in lieu of layoff and whose salaries exceed the top of the new position's band, will be frozen for 6 months following the date of reassignment. After 6 months, those salaries will be reduced to top of assigned band.

VDOT Blueprint Implementation
DHRM Policy Exceptions and Flexibilities

2. VDOT will not provide any moving or relocation reimbursement for affected employees who relocate their residences to take a placement.

Documentation for Substitution Approvals: VDOT created a form to notify substitution candidates who are approved to substitute for an employee affected by layoff.

Layoff Benefits: Affected employees, who declare during the Affected Employee Placement Interest period that they do not seek placement, will receive severance benefits, but will not have recall rights.

Layoff Effective Date: Affected employees, who declare during the Affected Employee Placement Interest period that they do not seek placement, will be separated earlier than those who seek placement.

Layoff Effective Date for Substitutes: Approved substitutes will be laid off on the date the affected employees' positions end.

Timing of Final Notice: May be issued at any time during the notice period, as long as it is at least 2 weeks after initial layoff notice is given.

Timing of Blue Card: May be issued up to a week before the last scheduled workday of the employee being placed on Leave Without Pay-Layoff.

Substitute's Benefits: Approved substitutes are eligible for severance benefits only. Substitutes are not eligible for recall rights, preferential hiring, re-op pool, or pre-layoff leave

Recall: Affected employees who do not seek placements proceed directly to LWOP-Layoff and receive severance benefits, but they do not get recall rights.

Vacancies in Subsequent Waves: Will be treated as recall opportunities first. Then, if no employees on recall are placed into the position, they will be treated as placement options.